IN THE CLAIMS

Please amend the claims as follows:

Claims 1-22 (Canceled).

Claim 23 (Currently Amended): A payment system for controlling continued use of a software program by a user, comprising:

a terminal configured to access the software program stored on a computer readable storage linked thereto, the terminal including

control means for periodically determining [[a]] an incremental payment for continued use of the software based on previous use of the software, the control means generating and transmitting the terminal being configured to generate and transmit an offer message containing at least an identity of a software owner, offer parameters and a digital signature of the software owner for at least part of the offer parameters based on determination of the incremental payment, [[;]]

a payment module linked to the means for periodically determining terminal and configured to receive the offer message, display the offer message, receive an acceptance from the software user, generate a payment request message requesting payment, the payment request message including at least the identity of the user and of the software owner together with proof of the user acceptance, and configured to transmit the payment request message; [[and]]

[[a]] message and payment processing means for receiving system configured to receive the payment request message, the message and payment processing means including ; verify

means for verifying the proof of user acceptance, record means for recording the payment request with at least the identity of the user and of the software owner and the amount to be paid, credit

means for crediting the owner with the amount to be paid,

means for generating ~~the message and payment processing system generating~~

a payment settlement message containing at least the identity of the message and

payment processing system and a digital signature for proof of payment, [[;]] and

means for transmitting ~~to transmit~~ the payment settlement message to the

payment module ~~therefrom~~,

wherein the payment module is configured to receive the payment settlement message

and to transmit the payment settlement message to the means for determining of the terminal,

and the means for determining ~~verifying~~ verifies the digital signature for proof of payment

relative to the offer parameters of the offer message and authorizes ~~authorizing~~ continued use

of the software program upon verification.

Claim 24 (Previously Presented): The system in accordance with claim 23, wherein

the digital signature of the owner of at least part of the offer, and the digital signature for

proof of payment are both public key signatures with certification trees, so that an authority

defines a root of the certification tree containing different system participants, including a

software owner and the message and payment processing system, and one or more certificates

are attached to the offer and payment settlement messages for signature checking.

Claim 25 (Currently Amended): The system in accordance with claim 23, wherein

the message and payment processing means includes ~~system further comprises:~~ a remote

payment server linked to the payment module by a telecommunications network, and said

remote payment server receives and processes the payment request message and composes

and sends the payment settlement message, [[;]] the remote payment server calculates a total

consumption of each user for all software owners in order to impose payment by said user

and causes the sums owned to each software owner to be transferred by all of the users.

Claim 26 (Currently Amended): The system in accordance with claim 23, wherein

the message and payment processing <u>means includes</u> ~~system further comprises:~~ secure means

for receiving the payment request message, the secure means containing at least the identity

of the user, the secure means checking the proof of the user acceptance, the secure means

recording the payment request and composing the payment settlement message, the secure

means transferring the payment settlement message, and the secure means including a remote

payment server to credit the software owner.

Claim 27 (Currently Amended): The system in accordance with claim 26, wherein

the secure means include a smart card reader <u>connected to the terminal and including</u> ~~with~~ a

smart card containing the identity of the user ~~identity~~, the reader, [[and]] <u>the</u> card receiving

the payment request message, checking the proof of the user acceptance, recording the

payment request and generating the payment settlement message.

Claim 28 (Previously Presented): The system in accordance with claim 27, wherein

the card is a prepay card and contains a balance and the card debits the balance with the

request amount at each payment request.

Claim 29 (Previously Presented): The system in accordance with claim 28, wherein a

prepay card message is inserted into the payment settlement message as proof that the

requested amount has been debited from the card.

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Claim 30 (Previously Presented): The system in accordance with claim 28, wherein the prepay card updates a file containing settled requests and corresponding amounts, and the payment settlement message is sent upon update of the file.

Claim 31 (Previously Presented): The system in accordance with claim 30, wherein the prepaid card transfers the file to the remote payment server, the remote payment server transferring funds to the software owners.

Claim 32 (Previously Presented): The system in accordance with claim 28, wherein the prepay card is an electronic wallet card.

Claim 33 (Previously Presented): The system in accordance with claim 27, wherein the card is a post-pay card.

Claim 34 (Previously Presented): The system in accordance with claim 33, wherein the post-pay card updates a file containing settled requests and corresponding amounts, and the payment settlement message is sent upon update of the file.

Claim 35 (Previously Presented): A system in accordance with claim 34, wherein the file is transferred to the remote payment server, the remote payment server transferring funds to the software owners.

Claim 36 (Currently Amended): A payment method for controlling continued use of a software program by a user, comprising:

periodically determining, in a terminal, [[a]] an incremental payment for continued use of the software based on previous use of the software;

generating an offer message containing at least identity of the software owner, offer parameters and the owner's digital signature for at least part of the offer when the incremental payment is determined;

transmitting the offer message to a payment module of a terminal storing the software;

receiving and displaying, under control of the payment module, the offer message;

receiving, at the payment module, an acceptance from the user;

generating, at the payment module, a payment request message requesting payment, following the user acceptance, the payment request message containing at least identity of the user and of the software owner together with proof that the user accepts the offer;

transmitting, by said module, the payment request message to a message and payment processing system;

receiving, at the payment module, a payment settlement message from the message and payment processing system, the payment settlement message containing at least the identity of the message and payment and a digital signature constituting proof of payment;

transmitting, by the payment module, the payment settlement message to control means of the terminal;

verifying, by the control means, the digital signature constituting proof of payment against the offer parameters contained in the offer message; and

authorizing continued use of the software program upon correct verification.

Claim 37 (Currently Amended): A terminal for enabling control of the continued use of a software program the terminal comprises:

control means for periodically determining [[a]] <u>an incremental</u> payment for continued use of the software based on previous use of the software, the control means generating an offer message offering use of the software and containing at least identity of the software owner, offer parameters and the digital signature of the owner for at least part of the offer, the control means transmitting the offer message to a payment module of the terminal;

the payment module including

receiving means for receiving the said offer message,

display means for displaying the offer message;

reception means for receiving acceptance from the user;

constituting means for constituting a payment request message requesting payment and containing at least the identity of user and of the software owners together with proof that the user accepts the offer;

transmission means for sending said payment request message from payment module to message and payment processing means;

reception means for receiving a payment settlement message from the of message and payment processing system, the payment settlement message containing at least the identity of the of message and payment processing system and a digital signature constituting proof of payment;

transmission means for resending by the payment module said payment settlement message to the control means;

verifying means for verifying by the control means digital signature constituting proof of payment against the offer parameters contained in the offer message;

authorization means for authorizing continued use of the software program upon verification.